



CRM-M-70708-2025 (O&M) -1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

140

**CRM-M-70708-2025 (O&M)
Decided on: 23.12.2025**

DEEPAK RAJU AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Jasraj Singh, Advocate
for the petitioners.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 528 of BNSS for setting aside of order dated 14.11.2025 (Annexure P-9) passed by learned Additional Sessions Judge, Hoshiarpur, whereby, bail bonds and surety bonds of the petitioners have been cancelled and forfeited to the State and non-bailable warrants have been issued against them, along with order dated 03.12.2025 (Annexure P-10) whereby proclamation under Section 82 of the Code of Criminal Procedure has been issued against petitioners No. 1 to 3 and fresh non-bailable warrants have been issued against petitioners No. 4 and 5, in case bearing FIR No. 80 dated 16.06.2017 (Annexure P-1) registered at Police Station Bullowal, District Hoshiarpur, under Sections 302, 201, 120-B and 34 of the Indian Penal



Code, 1860, read with Section 148 and 149 of the Indian Penal Code, 1860.

2. Learned counsel for the petitioners contended that the petitioners are facing trial in the aforesaid FIR and were granted the concession of regular bail; the case was previously fixed for hearing before the trial Court on 31.10.2025 and the same was adjourned to 14.11.2025 but the petitioners wrongly noted down the date of hearing, as 14.12.2025. Consequently, on 14.11.2025, none of the accused-petitioners appeared before the trial Court, hence, their bail bonds and surety bonds were cancelled and forfeited to the State while issuing non-bailable warrants vide order dated 14.11.2025; further on the next date of hearing i.e. 03.12.2025, non bailable warrants against all accused/petitioners were received back unexecuted, and vide order of even date, proclamation proceedings were issued against petitioners no.1 to 3 and non bailable warrants were issued against petitioners no.4 & 5. Learned counsel submitted that the accused/petitioners have been regularly appearing before the trial Court on all dates of hearing and non-appearance was unintentional and petitioners are ready to surrender themselves before the learned trial Court and prays for quashing of orders dated 14.11.2025 & 03.12.2025 (Annexures P9 & P10, respectively).

3. Notice of motion.



4. Mr. Anup Singh, AAG, Punjab, accepted notice on behalf of respondent-State and contended that petitioners wilfully absented themselves and prayed for dismissal of the present petition.

5. Heard.

6. As per the contentions of learned counsel for the petitioners that as the case was previously fixed for hearing before the trial Court on 31.10.2025 and the same was adjourned to 14.11.2025 but the petitioners wrongly noted down the date of hearing as 14.12.2025, due to which, they were absent on the said date, and non-bailable warrants were issued against them on 14.11.2025; however, on the next date of hearing i.e. on 03.12.2025 they also failed to appear again; as accused/ petitioners were duly represented by their counsel, who were well aware of the facts, and every *zimni* order was duly uploaded on the Case Information System. However, taking a lenient view considering contentions of the learned counsel for the petitioners that they have been regularly appearing before the trial Court before the passing of the impugned orders, and the fact that the trial is at fag end and the petitioners are willing to surrender, the petitioners are directed to surrender before the trial Court within two weeks i.e. upto 07.01.2026, and the trial Court is directed to consider their plea with a sympathetic view in accordance with law, and decide the case on merits in the interest of justice. Till then, no coercive action shall be taken against the petitioners and their arrest warrants, shall remain in



abeyance. It is made clear that if the petitioners fail to appear before the trial Court within stipulated time, then the relief granted by this Court shall be deemed to be withdrawn.

7. Petition is accordingly disposed of.

(SUBHAS MEHLA)
JUDGE

23.12.2025
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO